

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA  
**IN ADMIRALTY**

Case #: 9:22-cv-81588-AMC

IN THE MATTER OF THE:

COMPLAINT OF CHRISTOPHER MCDERMOTT  
AS OWNER OF MOTOR VESSEL FRICKA  
BEARING HIN # US-SERV2147H899  
FOR EXONERATION  
FROM OR LIMITATION OF LIABILITY.

Petitioner/Third-Party Plaintiff,

v.

M/Y COUNTRY BOY, its engines, tackle,  
equipment, electronics, rigging, dinghies,  
furniture, appurtenances, etc., *in rem*,  
CAPTAIN CHRISTOPHER FOX,  
*in personam*,

Third Party Defendants.

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**THIRD PARTY PLAINTIFF MCDERMOTT'S NOTICE OF VOLUNTARY DISMISSAL  
AS TO THIRD PARTY COMPLAINT ONLY DUE TO SETTLEMENT**

Third Party Plaintiff, CHRISTOPHER MCDERMOTT by and through his undersigned counsel, hereby voluntarily dismisses with prejudice **only** the Third Party Complaint [DE 6] against the M/Y Country Boy, *in rem*, and Captain Christopher Fox, pursuant to Federal Rule of Civil procedure 41(a)(1)(A)(i) as the matter was dismissed before an Answer or Motion for Summary Judgment was served by the Third Party Defendants. With regard to the dismissal, each party is to bear their own costs and attorney's fees. This Notice of Voluntary Dismissal is limited to the Third Party

Complaint as the Petitioner, CHRISTOPHER MCDERMOTT, will continue with his Complaint for Exoneration and/or Limitation of Liability [DE 1].

Respectfully Submitted,

/s Andrew N. Mescolotto  
Andrew N. Mescolotto (28141)  
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*Attorneys for the Petitioner/Third Party Plaintiff*

### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served by CM/ECF on November 2, 2022 on all counsel or parties of record on the Service List below.

Respectfully Submitted,

/s Andrew N. Mescolotto  
Andrew N. Mescolotto (28141)  
[anm@fertig.com](mailto:anm@fertig.com)  
FERTIG & GRAMLING

### **SERVICE LIST**

ANDREW N. MESCOLOTTO (28141) FERTIG AND GRAMLING 200 Southeast 13th Street Fort Lauderdale, FL 33316 PH: (954) 763-5020 FX: (954) 763-5412 anm@fertig.com Attorneys for the Petitioner/Third Party Plaintiff Via CM/ECF	No Claimants or Third Party Defendants have appeared in this case.
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